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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,517	05/13/2002	Jens Ehrke	10191/2201	6349
26646	7590	05/16/2006	EXAMINER	
KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004			WOZNIAK, JAMES S	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/031,517

Applicant(s)

EHRKE, JENS

Examiner

James S. Wozniak

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 10-13 and 15-19 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 10-13 and 15-19** rejected under 35 U.S.C. 102(e) as being anticipated by Rühl  
(*U.S. Patent: 6,108,631*).

With respect to **Claims 10 and 18**, Rühl discloses:

A storage unit for sorting names of at least one category of geographic information  
(navigation data memory, Col. 3, Lines 14-26; and Col. 6, Lines 17-35);

An input unit for selecting a name (*keyboard, microphone, or trackball, Col. 3, Lines 27-43; Col. 4, Lines 33-59; and Col. 5, Lines 36-47*);

A display unit for supporting an entry (*display device, Col. 3, Lines 44-49; and Col. 4, Lines 33-59*); and

A control unit for causing a selectable name to be displayed as a suggestion on the display unit as a function of a specified sorting criterion for the stored names of a category and as a function of earlier entries for the selection of the name to be entered (*displaying a list of possible locations on a display, Col. 4, Lines 33-59; and frequency sorting criterion based on*

*most frequently used locations and population, Col. 6, Line 15- Col. 7, Line 7; Col. 1, Line 47- Col. 2, Line 17),*

Wherein a selection probability of the names is used as a sorting criterion in the control unit (*likelihood sorting criterion, Col. 1, Line 47- Col. 2, Line 17; and Col. 6, Line 15- Col. 7, Line 7), and*

Wherein at least one of (a) at least one statistically collected information item and (b) an information item recorded by measurement concerning local characteristics of an area designated by a name is used as a measure for the selection probability (*sorting criterion based on the population of a specific location, Col. 6, Line 15- Col. 7, Line 7; Col. 1, Line 47- Col. 2, Line 17).*

With respect to **Claim 11**, Rühl discloses:

A population of a country designated by a country name is used as a measure of the selection probability of a country name (*population of regions or locations, such as a country, used for sorting a list of such regions, Col. 6, Lines 17-35).*

With respect to **Claim 12**, Rühl discloses:

A population of one of a city and a town designated by the name is used as a measure of the selection probability of one of a city and town name (*population-based search of a location as a city or town, Col. 2, Lines 27-42).*

With respect to **Claim 13**, Rühl discloses:

A number of residents designated by a street name is used as a measure of the selection probability of a street name (*population-based search of a location as a street, Col. 2, Lines 27-42).*

With respect to **Claim 15**, Rühl discloses:

The input unit contains input elements that are operated multiple times in succession without operation other input elements to enter a character assigned to an input element *(use of only keyboard or speech recognizer elements multiple times in succession to enter characters in a navigation system application, Col. 4, Lines 23-32; and Col. 5, Lines 48-67).*

With respect to **Claim 16**, Rühl discloses:

The input unit contains at least one input element operated in order to select one of a character to be entered and a name from a list of names, the input unit containing at least one additional input element using which the selection of one of the character and the name is confirmed *(keyboard containing direction and acknowledgement keys, Col. 1, Lines 11-29; and Col. 4, Lines 23-32).*

With respect to **Claim 17**, Rühl discloses:

The sorting criterion is selectable, names being sorted alphabetically according to a different sorting criterion *(selectable frequency criteria that also utilize alphabetical sorting, Col. 2, Lines 147-26; and Col. 6, Lines 17-35).*

With respect to **Claim 19**, Rühl discloses:

The navigation system is for a motor vehicle *(system implementation in a navigation system for vehicles, Col. 2, Lines 58-59).*

*Allowable Subject Matter*

3. **Claim 14** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

With respect to **Claim 14**, the prior art of record fails to explicitly teach or fairly suggest a vehicle navigation system that displays a suggested list of locations on a display device in response to a user input based on a statistic selection probability criterion, wherein at least one of the following from a group consisting of: (a) number of hotels, (b) the size of hotels, (c) a number of offices, (d) a number of train stations, and (e) a number of airports within an area is utilized as a measure for the selection probability.

Although Rühl discloses a vehicle navigation system that displays a suggested list of locations based on a criterion, as noted above, Rühl does not utilize (a) number of hotels, (b) the size of hotels, (c) a number of offices, (d) a number of train stations, and (e) a number of airports within an area as such a criterion.

*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hirota et al (*U.S. Patent: 5,568,390*)- teaches a vehicle navigation system that sorts location results according to a route cost.

Hiyokawa et al (*U.S. Patent: 5,825,306*)- teaches a vehicle navigation system that suggests an ordered list of destinations based on a user input.


Brunts et al (*U.S. Patent: 5,964,821*)- teaches a method for sorting navigation results based on a distance measure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached at (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James S. Wozniak  
4/20/2006

  
DAVID HUDSPETH  
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